IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.279 OF 1998

Jayabharat Credit Ltd. ..Petitioners.

V/s

M/s. Vatan Dye Chem (Export) Ltd...Respondents.

None present.

CORAM: A.M.KHANWILKAR,J

DATE : AUGUST 12, 2005.

P.C. :

1. None appears, when the matter is called out. This matter was listed on 24th June, 2005, when conditional order was passed. The conditional order has been complied with. Accordingly, the matter was to come up for final hearing. It was shown in the weekly board. When the matter was called out on 11th August, 2005, none appeared. By way of indulgence, matter was directed to be called out today. Even today, none appears.

2. It appears that petitioners are not serious in pursuing the present remedy. Even so, there is no good reason forthcoming as to why the advocate on record has failed to appear before the court on more than one occasion when the matter was called out. Be

that as it may, the only course open is to issue bailable warrant against the authorised officer of the petitioner to ascertain whether the petitioners are not interested in pursuing this remedy. If the petitioners are not interested in pursuing this remedy, they will have to advertise and publish proposed withdrawal of the petition.

3. Accordingly, bailable warrant issued, be made returnable within three weeks in the sum of Rs.10,000/-.

4. S.O. three weeks.